

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

LIDA GREEN)	CIVIL ACTION NO. 19-CV-00607
VERSUS)	JUDGE FOOTE
PAT WHITE, ET AL)	MAGISTRATE JUDGE HORNSBY

**MEMORANDUM IN OPPOSITION TO THE
MOTION FOR CONTEMPT OF SUBPOENA**

Mr. Dayton Mosley is an elderly gentlemen of limited funds and understanding. He is not a party to these proceedings, but is a sibling of the parties.

Pugh T. Huckabay, III was appointed by the 42nd Judicial District Court, DeSoto Parish, Louisiana, as curator to represent Mr. Mosley in relation to an eviction proceeding in that parish. The DeSoto Parish proceeding involved the plaintiff herein, Mrs. Lida Green. Shortly after being appointed as curator, Mr. William Most began contacting Pugh T. Huckabay, III via telephone and e-mail regarding the subpoena referenced herein. Pugh T. Huckabay, III did not represent Mr. Mosley in relation to the subpoena and never informed Mr. Most of such. Upon the request of Mr. Most, Pugh T. Huckabay, III did provide a copy of the subpoena to Mr. Mosley on or about August 14, 2019.

Mr. Mosley was served with a subpoena on July 13, 2019. He alleges that the exhibit which lists the information to be produced was not attached to the documents which he was served. He was first given a copy of the exhibit on August 14, 2019. The documents requested by Mr. Most is attached hereto. **See Exhibit “A”**. Mr. Mosley thereafter responded to the subpoena to the best of his ability. **See Exhibit “B”**. Mr. Mosley mailed the response to the subpoena to Mr. Most on August 21, 2019. Mr. Most filed the Motion for Contempt of Subpoena on August 23, 2019.

Pugh T. Huckabay, III was notified of the contempt motion and listed therein as attorney for Mr. Mosley. Upon receipt of the contempt motion, Pugh T. Huckabay, III contacted Mr. Most and again informed him that he was not Mr. Mosley's attorney in those proceedings. On September 5, 2019, Pugh T. Huckabay, III received the memorandum order from Judge Hornsby.

The undersigned has now agreed, pro bono, to represent Mr. Mosley in this matter. On August 30, 2018, Mr. Most sent an email to the undersigned suggesting items which he felt were non-responsive to the subpoena. On September 17, 2019, Mr. Mosley sent a supplemental response to the subpoena. See Exhibit "C".

The supplemental response provided documents which were not in Mr. Mosley's possession when he originally responded to the subpoena. Almost all of the documents were obtained from public records at Mr. Mosley's costs. Based on information and belief, the plaintiff herein may have had the produced documents in her possession prior to filing the subpoena, or at least had the same access to those documents as did Mr. Mosley.

It is submitted that Mr. Mosley has fully and completely complied with the subpoena request, and he requests that the motion for contempt of subpoena be dismissed. Further, based on the above, Mr. Mosely desires that the request for attorney fees be denied.

Respectfully submitted,
KAMMER & HUCKABAY, LTD. (A.P.L.C.)

BY: /s/Charles H. Kammer, III
Charles H. Kammer, III
Bar Roll Number 21658
820 Jordan, Suite 480
Shreveport, Louisiana 71101
(318) 222-0293 - Telephone
(318) 425-1644 - Facsimile
Pete@kandhlawoffice.com
ATTORNEY FOR DAYTON MOSLEY

C E R T I F I C A T E

I HEREBY CERTIFY that I have served a copy in electronic form of the above and foregoing on the plaintiff through her counsel of record by sending same by email to email address identified in ECF. Shreveport, Louisiana this 18th day of September, 2019.

/s/Charles H. Kammer, III

Charles H. Kammer, III